

CITY OF VANCOUVERREGULAR COUNCIL MEETING

A regular meeting of the Council of the City of Vancouver was held on Tuesday, November 6, 1979, in the Council Chamber commencing at approximately 2.00 p.m.

PRESENT:

Mayor Volrich
Aldermen Bellamy, Boyce, Ford,
Gerard, Kennedy, Little,
Marzari, Puil and Rankin.

ABSENT:

Alderman Harcourt

CLERK TO THE COUNCIL:

Mrs. M. Kinsella

PRAYER

The proceedings in the Council Chamber were opened with prayer offered by the Civic Chaplain, Reverend J. A. McArdle of the Church of the Immaculate Conception, Vancouver.

"IN CAMERA" MEETING

The Council was advised there were matters to be considered "In Camera" later this day.

ADOPTION OF MINUTES

MOVED by Ald. Kennedy,
SECONDED by Ald. Rankin,

THAT the Minutes of the Regular Council Meeting of October 30, 1979 (with the exception of the "In Camera" portion) be adopted.

- CARRIED UNANIMOUSLY

COMMITTEE OF THE WHOLE

MOVED by Ald. Bellamy,
SECONDED by Ald. Ford,

THAT this Council resolve itself into Committee of the Whole, Mayor Volrich in the Chair.

- CARRIED UNANIMOUSLY

DELEGATIONS1. Shopping Hours During December

On October 30, 1979 the Vancouver City Council approved a delegation request from the Retail Merchants Association of Canada regarding December shopping hours. Council also had for information a Manager's Report dated October 26, 1979. The report points out that Council has considered this matter each year for the past three years. In accordance with representation last year, Council amended the by-law to allow stores to remain open until 9:00 p.m. during all business days in December.

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DELEGATIONS (Cont'd)

Shopping Hours
During December (cont'd)

Mrs. J. Wallace, Retail Merchants Association of Canada, presented a brief to Council voicing opposition to the present by-law provisions for store opening and urged Council to effect a change in the By-law. Mrs. Wallace expressed support for revisions which would recreate the regulatory conditions which prevailed during December 1977.

Mr. T.E. Martin, speaking on behalf of the Downtown Vancouver Association, urged that Council not change the present By-law in order that the Downtown merchants not be disadvantaged relative to other merchants in the Greater Vancouver area. Mr. Martin stated that the experience of members of the Downtown Vancouver Association with respect to the extended shopping hours has been favourable.

Mr. Douglas Jung, solicitor for the Lower Mainland Independent Grocers' Association, presented a brief to Council. Mr. Jung urged Council to adopt the amendment proposed by Mrs. Wallace. He further cited hardship for the smaller merchants brought about by the economic necessity of remaining open in competition with the larger merchants.

Following discussion, it was

MOVED by Ald. Little,

THAT the submission of the delegations be received and that the shopping hours for December 1979 not be changed.

- LOST (Tie Vote)

(Ald. Boyce, Ford, Gerard, Marzari and Rankin opposed)

MOVED by Ald. Rankin,

THAT the Shops Closing By-law be amended to reflect the provisions which prevailed in December 1977.

- LOST (Tie Vote)

(Ald. Bellamy, Kennedy, Little, Puil and the Mayor opposed)

* * *

At this point in the proceedings Ald. Harcourt joined the meeting.

* * *

MOVED by Ald. Little,

THAT the Director of Legal Services be requested to amend the store opening by-law to permit stores to remain open to 9:00 p.m. for the fourteen shopping days prior to Christmas.

- LOST

(Ald. Boyce, Gerard, Harcourt, Marzari, Rankin and the Mayor opposed)

Council took no further action on this matter.

2. Proposed Amendment to Sign By-law
No. 4810 to Provide for and Regulate
Helium Blimp Signs

Council on October 16, 1979 approved a request from Mr. D.A. Smail to address Council on the matter of helium filled blimps for advertising purposes. Council had before it a report of the City Manager dated October 23, 1979. The report notes that Council has for some

cont'd.....

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DELEGATIONS (Cont'd)

Proposed Amendment to Sign By-law
No. 4810 to Provide for and Regulate
Helium Blimp Signs (cont'd)

years been moving towards removal of billboards and obtrusive signing and that to allow the use of blimps is a move away from the stated policies of Council.

Mr. Smail presented a brief to Council urging that the Sign By-law be amended to permit the operation and regulation of helium filled advertising blimps. Mr. Smail suggested a trial period of operation, closely monitored by Council, to establish the appropriate regulatory measures to be taken.

Following discussion, it was

MOVED by Ald. Puil,

THAT the recommendation of the City Manager, that helium inflated blimp signs not be provided for in the Sign By-law No. 4810, be approved.

- CARRIED

(Ald. Marzari opposed)

COMMUNICATIONS OR PETITIONS

1. Demolition Control

Council noted a letter from the Downtown Eastside Residents' Association requesting to appear as a delegation before Council when the report on demolition control is considered. In a footnote the City Clerk notes that this report will be before the Standing Committee on Planning and Development in November, 1979.

Following discussion, it was

MOVED by Ald. Rankin,

THAT the delegation request be approved and representations be heard when this matter is before Council.

- LOST

(Ald. Bellamy, Boyce, Gerard, Kennedy, Puil and the Mayor opposed)

MOVED by Ald. Puil,

THAT the delegation be heard when the matter of demolition control is before the Standing Committee on Planning and Development.

- CARRIED UNANIMOUSLY

2. Stadium - Alternative Concepts

Council noted a memorandum from the Mayor regarding the report on Alternative Stadium Concepts, jointly commissioned by the City and the P.N.E. It was noted that as the Provincial Government will retain ultimate responsibility for the site selection Council need only to receive the report and not concur in any findings.

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COMMUNICATIONS OR PETITIONS (Cont'd)

Stadium -
Alternative Concepts (cont'd)

Following discussion, it was

MOVED by Ald. Little,

THAT the report of the architects and consultants on the Alternative Stadium Concepts be received and that the Provincial Government representative be so advised.

- CARRIED

(Ald. Harcourt, Marzari and Rankin opposed)

CITY MANAGER'S REPORTS

A. MANAGER'S GENERAL REPORT
NOVEMBER 2, 1979

Works & Utility Matters
(November 2, 1979)

Lane South of 1st Avenue Between
Scotia Street and Prince Edward
Street (Detoxification Centre)
(Clause 1)

MOVED by Ald. Harcourt,

THAT the recommendation of the City Manager, as contained in this clause, be approved.

- CARRIED UNANIMOUSLY

Social Service & Health Matters
(November 2, 1979)

Establishment of 10 New Positions
for Long Term Care Program
(Clause 1)

MOVED by Ald. Harcourt,

THAT the recommendation of the City Manager, as contained in this clause, be approved.

- CARRIED UNANIMOUSLY

Building & Planning Matters
(November 2, 1979)

The Council considered this report which contains seven clauses identified as follows:

- Cl. 1: Kiwassa N.I.P. - Street Trees
- Cl. 2: Kiwassa N.I.P. - Archway at the Foot of Keefer Street
- Cl. 3: Space Study - City Hall
- Cl. 4: Mt. Pleasant N.I.P. Appropriation of Funds - Improvements to "Mt. Pleasant Triangle" at Fraser and Kingsway
- Cl. 5: Champlain Heights - Enclaves 4, 5, 6 and 7
- Cl. 6: Proposed Rezoning - 4124 Dumfries Street
- Cl. 7: Interpretation of the Powers of the Development Permit Board (FM-1 District Schedule)

cont'd.....

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CITY MANAGER'S REPORTS (Cont'd)

Building & Planning Matters
(November 2, 1979) (cont'd)

Clauses 1 and 4

MOVED by Ald. Kennedy,
THAT the recommendations of the City Manager, as contained in
clauses 1 and 4 of this report, be approved.

- CARRIED UNANIMOUSLY

Kiawassa N.I.P. - Archway at the
Foot of Keefer Street
(Clause 2)

MOVED by Ald. Ford,
THAT the recommendation of the City Manager, as contained in
this clause, be approved.

- CARRIED UNANIMOUSLY

Space Study - City Hall
(Clause 3)

MOVED by Ald. Little,
THAT the recommendation of the City Manager, as contained in
this clause, be approved.

- CARRIED

(Alderman Puil opposed.)

Champlain Heights - Enclaves 4,
5, 6 and 7
(Clause 5)

MOVED by Ald. Boyce,
THAT the recommendation of the City Manager, as contained in
this clause, be approved.

- CARRIED UNANIMOUSLY

Proposed Rezoning - 4124 Dumfries Street
(Clause 6)

MOVED by Ald. Harcourt,
THAT the recommendation of the City Manager, as contained in
this clause, be approved.

- CARRIED UNANIMOUSLY

Interpretation of the Powers of
the Development Permit Board
(FM-1 District Schedule)
(Clause 7)

When considering this clause, Council was advised that the
Development Permit Board was seeking Council's direction regarding
the interpretation of the intent of the FM-1 District schedule and
the extent of the discretionary powers of the Board with reference to
transfer rights, density increase and adjustment of sub-area
boundaries.

cont'd.....

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CITY MANAGER'S REPORTS (Cont'd)

Building & Planning Matters
(November 2, 1979) (cont'd)

Interpretation of the Powers of
the Development Permit Board
(FM-1 District Schedule)
(Clause 7) (cont'd)

Following discussion, it was

MOVED by Ald. Kennedy,

THAT the matter be referred to the Planning and Development Committee.

- CARRIED UNANIMOUSLY

Licenses & Claims Matters
(November 2, 1979)

The Council considered this report which contains three clauses identified as follows:

- Cl. 1: Stores Open Thanksgiving Day,
October 8, 1979
- Cl. 2: Claim Number 19064 -
Mr. R. Kroeher
- Cl. 3: P.N.E. Land Use Control

Stores Open Thanksgiving Day,
October 8, 1979
(Clause 1)

When considering this clause, the Mayor noted that Remembrance Day this year falls on Sunday, November 11, 1979. Stores opening on this day, therefore, may be in contravention of both the Lord's Day Act and the City By-law regarding statutory holidays. Such operators may then be requested to appear before Council to show cause why their business licence should not be suspended.

It was then

MOVED by Ald. Rankin,

THAT the recommendation of the City Manager, as contained in this clause, be approved.

- CARRIED

(Ald. Puil opposed)

Claim Number 19064 -
Mr. R. Kroeher
(Clause 2)

MOVED by Ald. Rankin,

THAT the recommendation of the City Manager, as contained in this clause, be approved.

- CARRIED UNANIMOUSLY

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CITY MANAGER'S REPORTS (Cont'd)

Licenses & Claims Matters
(November 2, 1979) (cont'd)

P.N.E. Land Use Control
(Clause 3)

MOVED by Ald. Bellamy,

THAT the matter be deferred for two weeks to permit the P.N.E. Board of Directors an opportunity to consider the report.

- CARRIED UNANIMOUSLY

Finance Matters
(November 2, 1979)

Community Services
Contribution Program
(Clause 1)

When considering this clause, Council noted that the Provincial Government requires a submission from the City by November 14, 1979. It was further noted that Council felt inadequate time had been granted for consideration of the priorities as set out in the report.

Following discussion, it was

MOVED by Ald. Puil,

- A. THAT the report of the City Manager be referred to a Special Meeting of Council on Thursday, November 22, 1979.
- B. THAT the City Manager be requested to ask the Provincial Government for an extension to the deadline for submissions to the Community Services Contribution Program.

- CARRIED UNANIMOUSLY

Personnel Matters
(November 2, 1979)

Long Term Disability Plan -
Outside Workers
(Clause 1)

MOVED by Ald. Bellamy,

THAT the recommendation of the City Manager, as contained in this clause, be approved.

- CARRIED UNANIMOUSLY

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CITY MANAGER'S REPORTS (Cont'd.)

Property Matters
(November 2, 1979)

The Council considered this report which contains three clauses identified as follows:

- Cl. 1: E. L. Sauder Lumber Company Limited
Rent Review, Parcel 3
- Cl. 2: Champlain Heights - Enclave 14
- Cl. 3: False Creek, Area 6, Phase 2,
Lot 48, Ground Lease Terms

Clauses 1-3 inclusive

MOVED by Ald. Harcourt,

THAT the recommendations of the City Manager, as contained in clauses 1, 2 and 3 of this report, be approved.

- CARRIED UNANIMOUSLY

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Ald. Harcourt,

THAT the Committee of the Whole rise and report.

- CARRIED UNANIMOUSLY

MOVED by Ald. Rankin,
SECONDED by Ald. Marzari,

THAT the report of the Committee of the Whole be adopted.

- CARRIED UNANIMOUSLY

MOTIONS

- A. Allocation of Land for
Lane Purposes
(South 10 feet of Lot 2,
of Lot 2, Block 27,
District Lot 192, Plan 2517)

MOVED by Ald. Bellamy,
SECONDED by Ald. Rankin,

THAT WHEREAS the registered owner has conveyed to the City of Vancouver for lane purposes land in the City of Vancouver, Province of British Columbia, more particularly known and described as follows:

South 10 feet of Lot 2
of Lot 2
Block 27
District Lot 192
Plan 2517

AND WHEREAS it is deemed expedient and in the public interest to accept and allocate the said lands for lane purposes;

BE IT THEREFORE RESOLVED that the above described lands so conveyed be, and the same are hereby accepted and allocated for lane purposes and declared to form and to constitute portion of a lane.

- CARRIED UNANIMOUSLY

MOTIONS (Cont'd.)B. Allocation of Land for
Road Purposes

(All that portion of Lot 14 except south portion now road (see filings 21090 and 16598), Subdivision "B" of Lots 6, 7, 8, Block 8, District Lot 393, Group One, New Westminster District, Plan 2201, lying southerly of a line joining a point in the southwesterly limit of said Lot 14, 5 feet northwesterly from the most southerly corner of said Lot 14, and a point in the southeasterly limit of said Lot 14, 5 feet northeasterly from the most southerly corner of said Lot 14.)

MOVED by Ald. Bellamy,
SECONDED by Ald. Rankin,

THAT WHEREAS the registered owner has conveyed to the City of Vancouver for road purposes land in the City of Vancouver, Province of British Columbia, more particularly known and described as follows:

All that portion of Lot 14 except south portion now road (see filings 21090 and 16598), Subdivision "B" of Lots 6, 7, 8, Block 8, District Lot 393, Group One, New Westminster District, Plan 2201, lying southerly of a line joining a point in the southwesterly limit of said Lot 14, 5 feet northwesterly from the most southerly corner of said Lot 14, and a point in the southeasterly limit of said Lot 14, 5 feet northeasterly from the most southerly corner of said Lot 14, the same as shown outlined red on plan prepared by G. Girardin, B.C.L.S., dated April 26, 1979, and marginally numbered LF 9083, a print of which is hereunto annexed.

AND WHEREAS it is deemed expedient and in the public interest to accept and allocate the said lands for road purposes;

BE IT THEREFORE RESOLVED that the above described lands so conveyed be, and the same are hereby accepted and allocated for road purposes and declared to form and to constitute portion of a road.

- CARRIED UNANIMOUSLY

1. Illegal Accommodations

MOVED by Ald. Bellamy,
SECONDED by Ald. Little,

THAT WHEREAS under the present procedure re illegal accommodation providing appeals to City Council, a strong possibility of injustices exist, particularly insofar as those who do not appeal to Council are concerned;

AND WHEREAS by the present system where extensions are given, enforcement procedures are withheld in requiring conformity with building and fire regulations which could result in serious consequences;

AND WHEREAS illegal accommodations are prevalent throughout the entire City;

THEREFORE BE IT RESOLVED:

- (a) THAT the whole question of illegal accommodations in the City be reviewed by a small Committee of Council, appointed by the Mayor, to meet with staffs and report through the Planning and Development Committee;
- (b) THAT this Special Committee also consider the present system of Council hearing Hardship Appeals.

- CARRIED UNANIMOUSLY

NOTICE OF MOTION

The following Notice of Motion was submitted by Alderman Little and recognized by the Chair:

1. City Publications - Costs

MOVED by Ald. Little,
SECONDED by Ald. Kennedy,

THAT WHEREAS for the dissemination of public information the City expends an amount of approximately \$300,000 through such means as planning publications, i.e., "Quarterly Review", "Understanding Vancouver", Social Planning publications such as "Urban Reader", the Personnel publication known as "The Town Crier", and in other miscellaneous ways:

AND WHEREAS such information is directed more or less on a departmental basis and therefore generally with a departmental emphasis;

AND WHEREAS these funds, if pooled, might be better expended if directed through a central communication arrangement;

AND WHEREAS there is presently a need for the constant dissemination of information to the public as well as with the administration to give better understanding of City Hall policies, objectives and current proposals;

AND WHEREAS this information requirement is further emphasized by the appointment of a Centennial Celebration Committee;

THEREFORE BE IT RESOLVED THAT the Mayor and City Manager be requested to review this whole matter and report with recommendations through the Finance Committee.

- (Notice)

The following Notice of Motion was submitted by Alderman Rankin and recognized by the Chair:

2. Electoral Reform

MOVED by Ald. Rankin,
SECONDED by Ald.

THAT WHEREAS Council held a referendum November 1978 on the question of a Ward System vs. an At Large System;

AND WHEREAS the referendum carried in favour of the Ward System;

AND WHEREAS a Commission on Electoral Reform was struck by Council to investigate this matter;

AND WHEREAS Council has spent \$100,000 on this endeavour;

THEREFORE BE IT RESOLVED Council instruct the Commission on Electoral Reform to have this report to it by November 31, 1979.

- (Notice)

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ENQUIRIES AND OTHER MATTERS

Alderman Kennedy

Englesea Lodge

Asked for Council's assurance that any remaining residents of Englesea Lodge would be adequately served before any steps were taken to demolish and the Mayor advised that the matter was in hand.

Alderman Ford

Convention Centre

Enquired as to the anticipated date on which Council will have the report on the Convention Centre.

In answer to a question by the Mayor the City Manager advised that the report should arrive in about two weeks.

Alderman Rankin

Police Boat

Enquired as to the reason behind the construction of Vancouver's Police Boat in Bellingham as opposed to some Canadian supplier.

The Mayor requested that the City Manager report.

CIVIC RECOGNITION

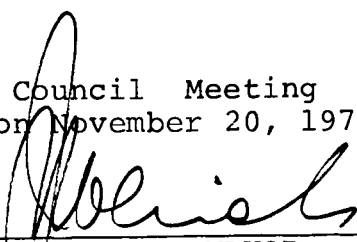
The Mayor recognized the following retiring civic employees, each of whom has had more than 30 years of service with the City:

Don Barkley)	
Archie McDermid)	
Howard Oldfield)	Engineering Department
Stefan Rusnak)	
Art Ulmer)	

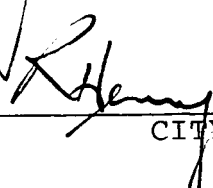
The Mayor presented them with a certificate honouring their long service, following which he invited them to join Council for refreshments.

The Council recessed at 3.55 p.m. to reconvene "In Camera" in the Mayor's Office at 4.30 p.m.

The foregoing are Minutes of the Regular Council Meeting of November 6, 1979, adopted by Council on November 20, 1979.



MAYOR



CITY CLERK

MANAGER'S REPORT

DATE: October 26, 1979

TO: Vancouver City Council
SUBJECT: Shopping Hours during December
CLASSIFICATION: INFORMATION

The Director of Permits and Licenses reports as follows:

"A letter has been received from the Retail Merchants Association of Canada, B. C. Division, requesting City Council to amend the Shops Closing Bylaw as it relates to the shopping hours during the month of December. This matter has been dealt with by Council each year for the past 3 years.

Prior to an amendment last year stores could only remain open until 9:00 P.M. on the 7 business days prior to Christmas. The 1978 amendment, as requested by the Downtown Business Association, now allows the stores to remain open until 9:00 P.M. during all business days in December. Part of the reason for the change was to eliminate the yearly request for the extension of the Christmas shopping hours.

Attached is a copy of the report considered by Council and Council's resolution of October 31, 1978."

The City Manager submits the report from the Director of Permits and Licenses for INFORMATION.

FOR COUNCIL ACTION SEE PAGE(S) 346, 347

MANAGER'S REPORT

DATE October 23, 1979

TO: Vancouver City Council

SUBJECT: Proposed Amendment to Sign By-law, No. 4810, to Provide
for and Regulate Helium Blimp Signs.

CLASSIFICATION: RECOMMENDATION.

The Director of Planning reports as follows:

"On October 16, 1979, Council instructed the Director of Planning to report on a delegation request from Mr. David A. Smail respecting a proposed amendment to the Sign By-law, No. 4810, to provide for and regulate helium-inflated blimp signs. A letter from Mr. Smail dated July 25 and a reply from the Planning Department dated August 29 covering the nature of these signs and the basic regulatory issues involved are attached as Appendices 'A' and 'B,' respectively.

'Blimp' signs have been determined by City staff to be 'portable' signs, which means 'any sign not permanently attached to the ground or to a building.' Advertising literature of a principal supplier of such blimps refers to such signs as 'your billboard in the sky which ... can increase your customer traffic ... for everything from special outdoor exhibits to 'year-round' location markers.' Suggested client advertisers include 'auto dealers, banks, realtors, shopping centres, fast-food chains, retailers (all kinds), carnivals, and special events.' If permitted in Vancouver with such a broad-based clientele or circumstances in mind, blimp signs could be accommodated in almost any 'C' District or equivalent 'CD' District.

Council has for some years been working toward the removal of billboards in conspicuous locations where such forms of advertising obstruct views or are not in keeping with the character of an area. If Council is sympathetic, however, to the use of helium-inflated blimps as a new type of signage, an appropriate definition of such signs should be prepared, suitable standards should be established to ensure public safety in design and operation, and acceptable criteria should be developed to govern their location, size, number, spacing, height and sign area, all of which should be incorporated in an amendment by-law.

On the basis of existing Council policy respecting the removal of third-party billboard roof signs in many areas of the City and the absence of any demonstrated public need for this new and even more obtrusive form of advertising, the Director of Planning recommends that helium-inflated blimp signs not be provided for in the Sign By-law, No. 4810."

The City Manager RECOMMENDS that the recommendation of the Director of Planning be approved.

FOR COUNCIL ACTION SEE PAGE(S) 347, 348

MANAGER'S REPORT, NOVEMBER 2, 1979 (WORKS: A1 - 1)

WORKS AND UTILITY MATTERS

RECOMMENDATION

1. Lane South of 1st Ave. between Scotia St.
and Prince Edward St. (Detoxification Centre)

The City Engineer reports as follows:

"City-owned property situated on the south side of the above lane has recently been leased to the Provincial Government (British Columbia Buildings Corporation).

The Corporation is to build a Detoxification Centre which will require access from the lane allowance. In order to provide such access, the existing dead-end lane must be extended 30'± east of the west property line of the Detoxification Centre's property; i.e., about 80 ± of lane will have to be constructed.

The work consists of relocating a gas main, filling, grading, gravelling, installing catchbasins connected to the storm sewer and the construction of 80'± of Portland Cement concrete retaining wall. The estimated cost of the work is \$45,000.00 and the Provincial Government has agreed to pay for 50' of the retaining wall or \$30,000.00, whichever is less. The estimated cost of 50' of the retaining wall is \$25,000.00. Funds (\$20,000.00) for the City's share of the wall and the other above-mentioned works are available in the Streets Capital Budget Account No. 148/7914 'Grading Unappropriated'.

The City Engineer recommends that:

- A) The above-mentioned lane be extended 30'± east of the west property line of the Detoxification Centre's property.
- B) \$20,000.00 be approved from Streets Capital Budget Account No. 148/7914."

The City Manager RECOMMENDS that the above recommendations of the City Engineer be approved.

FOR COUNCIL ACTION SEE PAGE(S) 349

A-2

MANAGER'S REPORT, November 2, 1979 (SOCIAL: A-2 - 1)

SOCIAL SERVICE AND HEALTH MATTERSRECOMMENDATION1. Establishment of 10 New Positions
for Long Term Care Program

The Medical Health Officer reports as follows:

"On August 7, 1979, the Provincial Government granted approval for a Long Term Care Budget with a total of 84.5 permanent and temporary positions. The temporary positions were originally approved as an interim measure pending a review by the Province of the Program's need. However, it became clear before the review was complete that these positions should become permanent due to the large and growing need of the Long Term Care Program. In a letter dated October 19, 1979, the Provincial Government converted all positions to a permanent status. To enable the Health Department to utilize all 84.5 positions, Council's approval is needed for the establishment of 10 new positions:

Positions	November 1 - December 31/79	Annual Cost
1 Education Coordinator	3,644.00	21,864.00
7 Assessment Workers	22,301.00	133,806.00
1 Clerk Typist II	1,834.00	11,004.00
1 Hospital Liaison	3,186.00	19,116.00
	30,965.00	185,790.00
Fringe Benefits	3,871.00	23,225.00
Transportation	1,280.00	7,680.00
Furniture (9 small pedestal desks, 9 swivel tilter chairs, 1 typewriter, 1 secretarial station, 1 steno chair)	4,390.00	
Administration & Overhead	1,045.00	6,270.00
	41,551.00	222,965.00

These positions are subject to the review and classification of the Director of Personnel Services. A copy of this report has been forwarded to the V.M.R.E.U. for information.

The Provincial Government has provided funds in the Long Term Care budget for these expenditures, and there are no direct costs to the City of Vancouver.

The Medical Health Officer recommends that the foregoing ten positions be approved for the Long Term Care Program."

The City Manager RECOMMENDS that the recommendation of the Medical Health Officer be approved.

Manager's Report, November 2, 1979 (BUILDING: A-4 - 1)

BUILDING AND PLANNING MATTERS

RECOMMENDATION

1. Kiwassa N.I.P. - Street Trees

The Director of Planning and City Engineer report as follows:

"On April 4, 1978 City Council adopted the Kiwassa N.I.P. Concept Plan. One of the items identified in the plan was the provision of street trees throughout the area once the new curbs and paving had been completed.

The street improvements are now nearing completion and trees can be planted this fall.

It is proposed that trees be planted on E. Pender, E. Georgia and Vernon Drive between the sidewalk and curb (as indicated on the map attached as Appendix I). The Kiwassa N.I.P. Committee considered also planting trees on Glen Drive, Keefer Street and Union Street, but decided against it as these trees would have to be planted behind the sidewalks. Also the cost of planting these trees was not warranted, in the Committee's opinion, in terms of the impact on the neighbourhood's environment.

While it is normal practice to plant street trees following the installation of curbs, gutters and paving in residential areas, the present work load and budget limitations would result in a substantial delay in planting. Therefore, the use of N.I.P. funds is proposed to avoid this delay in completion of the street improvements.

The Park Board has estimated that the total cost of purchasing and installing these trees to be \$300.00 per tree. Approximately 75 trees will be needed, resulting in a total project cost of \$22,500.00.

As this project is being undertaken as a measure to improve the visual environment in Kiwassa, it can be funded under the Federal 50% - Provincial 25% - City 25% cost-sharing formula for recreation facilities. In the Concept Plan budget \$10,000.00 under the 25-12.5-62.5 cost-sharing formula was set aside for this project, thus \$3,750.00 in Federal - Provincial funds are available from that initial set up. The remainder of the required Federal - Provincial funds are available in Account #891/8729, which are the freed up funds resulting from the change in cost-sharing for funds used to pay for the municipal services projects. The matching City funds are available from the unallocated City N.I.P. funds Account #532/7901. In summary, the funding is available for this project as follows:

Original allocations of Federal/Provincial funds from the N.I.P. Concept Plan (#891/8728)	\$ 3,750.00
Freed up Federal/Provincial funds (#891/8729)	13,125.00
Matching City funds (#532/7901)	<u>5,625.00</u>
TOTAL	<u>\$22,500.00</u> =====

The Park Board has estimated the annual maintenance costs to be \$15.00 per tree or \$1,125.00 for all the trees. It is proposed that the Park Board be requested to undertake regular maintenance, and on this basis, that maintenance funds be approved as an addition to the Park Board annual operating budget.

CMHC and the Province concur with the change in total allocation and cost-sharing.

Clause 1 continued

It is recommended:

- A. THAT City Council approve the appropriation of up to \$22,500.00 from the Kiwassa N.I.P. Accounts and the Unallocated City N.I.P. account as outlined above, to be used to purchase and install trees on specified streets in Kiwassa.

The total cost is shared as follows:

Federal	\$11,250.00
Provincial	5,625.00
City	5,625.00.

- B. THAT up to \$1,125.00 per year be approved as an addition to the Park Board's annual operating budget, beginning in 1980, to cover maintenance and upkeep costs for these trees."

The City Manager RECOMMENDS that the above recommendations of the Director of Planning and City Engineer be approved.

2. Kiwassa N.I.P. - Archway at the Foot of Keefer Street

The Director of Planning reports as follows:

"On August 14, 1979 City Council approved the expenditure of Kiwassa Neighbourhood Improvement Program (N.I.P.) funds to provide a mini-park on the street allowance in the 1000 block Keefer St.

One element of the mini-park design which was indicated on the plan approved by Council, but was not included in the cost estimate was the construction and installation of a carved wooden archway at the entrance to the pedestrian overpass at the foot of Keefer St. The archway was not included at that time because the exact location of the curbs, and therefore of the archway, was not known then, and the community had not decided on a specific design for the archway.

As was noted in the Kiwassa N.I.P. Concept Plan (adopted by Council on April 4, 1978), Kiwassa is very closely tied physically and socially to the adjacent Strathcona neighbourhood. The pedestrian overpass at the foot of Keefer provides the one major pedestrian link with Strathcona. The Kiwassa N.I.P. Committee feels that the extreme importance of this overpass can best be denoted by placing a symbolic gateway at the foot of the overpass - thus the proposal for a carved wooden archway.

The Ne Chi Zu Guild (a group of artists) was asked by the Committee to prepare a design for an appropriate archway. Several proposals were submitted and the Committee chose the one shown in Appendix I. This archway would be located at the east end of the overpass, half-way between the end of the ramp and the new curb (as indicated in the plan, Appendix II)

The Guild has agreed to fabricate and install this archway for \$2,300.00. As a N.I.P. funded project, this amount would be cost-shared as follows:

Federal (50%)	\$1150
Provincial (25%)	575
City (25%)	575

The Federal/Provincial share is available in the Kiwassa N.I.P. accounts in the form of "freed up" monies made available through the transfer of N.I.P. funds between different cost sharing formulas when the municipal services projects were approved earlier this year. The City share is available from the Unallocated City N.I.P. funds account 532/7901.

Clause 2 continued

It is recommended that City Council approve the appropriation of up to \$2300 from the Kiwassa N.I.P. budget (Accounts 891/8729 and 532/7901) for the fabrication and installation of an archway (shown in Appendix I) at the foot of Keefer St."

The City Manager RECOMMENDS that the foregoing recommendation of the Director of Planning be approved.

3. Space Study - City Hall

The Director of Civic Buildings reports as follows:

"During the past several years, office space shortcomings have developed in the City Hall complex. Those affecting departments in the main building have largely been resolved for the present. However, there are some serious outstanding problems affecting departments in the East Wing which have been studied extensively. The most serious shortcoming is the inadequate space in the building for many functions, where normal City Hall space standards cannot be met.

The option of leasing or building additional office space elsewhere, in order to relieve the situation in the East Wing, was considered but rejected because of the cost and operational problems. The functions of the various departments in the Wing are closely related, and there are obvious and important advantages in keeping all the departments concerned together in the same building.

This report deals with the top priorities that the Directors of Planning and Permits & Licenses have expressed as regards needed improvements for their departments. These are:

1. To provide additional office space and minor office improvements for the Development Permit Group of the Zoning Division, which is situated on the northwest corner of the second floor. Staff have been added to this function within the past several years to improve service to applicants and as a consequence staff are working in unacceptably crowded conditions, and the public is not receiving suitable service.
2. To provide a larger and more secure area for the Permits & Licenses' records filing system, to remain on the second floor. This is a critical operational requirement. Files have recently been culled but growth requires expansion possibilities for the system on the 2nd floor. These working files need to be quickly available to staff to deal effectively with the public but expansion and security cannot be provided under the present circumstances.

Our studies have shown that these space requirements can be satisfied only if a sub-unit of the Department of Permits & Licenses is removed from the second floor (although ideally it should remain on that floor). The Director has indicated that removing the combined District Inspectors Section of the Permits & Licenses, Fire and Health Departments to another floor would have the least adverse effect on operational efficiency and service to the public.

The additional space required to accommodate the District Inspectors in a location relatively close to the rest of the departmental offices and conveniently accessible for the public, could be provided by converting the Executive Parking Garage, on the main floor, to offices. The garage lends itself well to the purpose, and as compared with other options that have been considered, appears to involve the least cost.

Clause 3 continued

The development of this space will require replacement of the parking that will be displaced as well as additional parking required under the Zoning Bylaw resulting from the additional office area.

The parking provision will be a subject for a future report. However, for the purpose of this proposal we have assumed that the property at 10th Avenue and Cambie Street would be utilized. Council has previously approved parking on that site for leasing purposes. In this proposal there will therefore be loss of most of the anticipated revenue from that parking development.

The estimated costs for the project, which are shown below, are based on schematic drawings only and are therefore very approximate:

Alter Executive Garage to office use	- \$110,000
Alteration to second floor - East Wing	- \$ 40,000
Telephones and intercom	- \$ 2,000
Consultant's fees	- \$ 18,750
	<hr/>
	\$170,750
Allowance for parking lot for alternate and additional parking	\$ 35,000
	<hr/>
	\$205,750

It is the recommendation of this report that an Architect be appointed to develop the proposal in detail and establish firm estimates. The most appropriate Architect to carry out the commission is Ross Ritchie who was the architect for the East Wing and whom we have already consulted to establish the practicality of the garage conversion. This report therefore recommends his appointment. The funds required for fees for this phase of the work will be approximately \$5,700.

A request was made in the 1978 Supplementary Capital Budget for \$300,000 to carry out necessary alterations in the East Wing to overcome serious space problems. Approval was given for only \$100,000 as interim funding. Some improvements have been made on the third floor for the Planning Department and approximately \$86,000 remains unexpended.

The Director of Finance advises that if Council approves the recommendations of this report, the source of funds for the Consultant's fees will be the 1978 Supplementary Capital funds. Following completion of the Consultant's study, and the subsequent report to Council, the balance of the funds required for the project are recommended to be considered in the 1980 Supplementary Capital Budget.

The Director of Civic Buildings recommends that Council:

- A. Accept, in principle, the proposal to convert the Executive Garage and carry out alterations to the second floor of the City Hall - East Wing as outlined in the body of this report.
- B. Ross Ritchie be retained as architect to complete a detailed study and establish firm estimates for a further report back to Council. The fees for this phase of the work, approximately \$5,700 to be approved from the funds originally approved in the 1978 Supplementary Capital funds."

The City Manager RECOMMENDS that the foregoing recommendations of the Director of Civic Buildings be approved.

Manager's Report, November 2, 1979 (BUILDING: A-4 - 5)

4. Mt. Pleasant N.I.P. Appropriation of Funds:
Improvements to "Mt. Pleasant Triangle" at
Fraser and Kingsway

The Director of Planning and City Engineer report as follows:

"On September 28, 1976 City Council approved the Mt. Pleasant N.I.P. Concept Plan. Two of the priorities identified in the plan were to provide more usable public space and to install curbs, paving and boulevard trees in the Mt. Pleasant Triangle. Toward this end, the Mt. Pleasant N.I.P. Committee has identified the following improvements:

Installation of two park benches on the triangular portion of
land bounded by Kingsway, Fraser and 15th Avenue

The Mt. Pleasant N.I.P. Committee recommends a maximum of \$1,300.00 for installation of two benches on concrete pads. Placement of the benches will be within the triangular portion of land (bounded by Kingsway, 15th Avenue and Fraser Street) to the satisfaction of the City Engineer.

In order to finance the bench project, N.I.P. funds will be allocated from the Social and Recreational Account 896/9215.

Installation of sidewalk filler and tree planting on the north
side of East 15th Avenue from Kingsway to Fraser Street

The Mt. Pleasant N.I.P. Committee recommends a maximum of \$7,000.00 be allocated for installation of sidewalk filler and a maximum of \$3,250.00 for planting of up to ten Japanese Cherry Trees on 15th Avenue from Kingsway to Fraser Street. This work will complement the adjacent landscaped triangle. The planting will be carried out in the Fall before the filler has been installed.

N.I.P. funds in the amount of \$10,250.00 will be transferred from the Services/Utilities Account 896/9217 for the sidewalk filler and tree planting.

The cost estimates for the above noted work have been provided by the City Engineering Department and Vancouver Park Board. Maintenance will be undertaken by the Engineering Department and an annual amount of \$300.00 should be identified in the Maintenance Budget for this purpose.

RECOMMENDATIONS

The Director of Planning and City Engineer recommend:

- A. THAT City Council approve the appropriation of up to \$1,300.00 from the Mt. Pleasant N.I.P. Social and Recreational Account 896/9215 for the installation of two park benches on the triangular portion of and bounded by Kingsway, Fraser and 15th Avenue. Costs are to be shared as follows:

Central Mortgage & Housing Corporation	- 50%	= \$ 650.00
Province of B. C.	- 25%	= \$ 325.00
City of Vancouver	- 25%	= \$ 325.00

TOTAL		\$1,300.00
		=====

Clause 4 continued

B. THAT City Council approve the appropriation of up to \$7,000.00 from the Mt. Pleasant N.I.P. Services/Utilities Account 896/9217 for the installation of sidewalk filler on the north side of East 15th Avenue from Kingsway to Fraser Street. Costs are to be shared as follows:

Central Mortgage & Housing Corporation	- 25 %	= \$1,750.00
Province of B. C.	- 12.5%	= \$ 875.00
City of Vancouver	- 62.5%	= <u>\$4,375.00</u>
TOTAL		\$7,000.00 =====

C. THAT City Council approve the appropriation of up to \$3,250.00 from the Mt. Pleasant N.I.P. Services/Utilities Account 896/9217 for the installation of tree planting on the north side of East 15th Avenue from Kingsway to Fraser Street. Costs are to be shared as follows:

Central Mortgage & Housing Corporation	- 25 %	= \$ 812.50
Province of B. C.	- 12.5%	= \$ 406.25
City of Vancouver	- 62.5%	= <u>\$2,031.25</u>
TOTAL		\$3,250.00." =====

D. THAT City Council approve the addition of \$300 to the 1980 Engineering Revenue Budget to cover additional maintenance. "

The City Manager RECOMMENDS that the foregoing recommendations of the Director of Planning and City Engineer be approved.

5. Champlain Heights - Enclaves 4, 5, 6 and 7

The Champlain Heights Project Manager, the City Engineer and the Director of Planning report as follows:

"June 12th 1979, Council accepted bids from United Properties for Enclaves 4, 5, 6 and 7. Since that time staff have been working with the builder and his architect as the development permit application has been prepared. The development permit plans have now been reviewed by various City departments and approved by the Director of Planning, subject to certain "prior to" conditions. The one outstanding condition requires that Council approve a modification to the noise buffer along Boundary Road. The purpose of this report is to outline the rationale for this request.

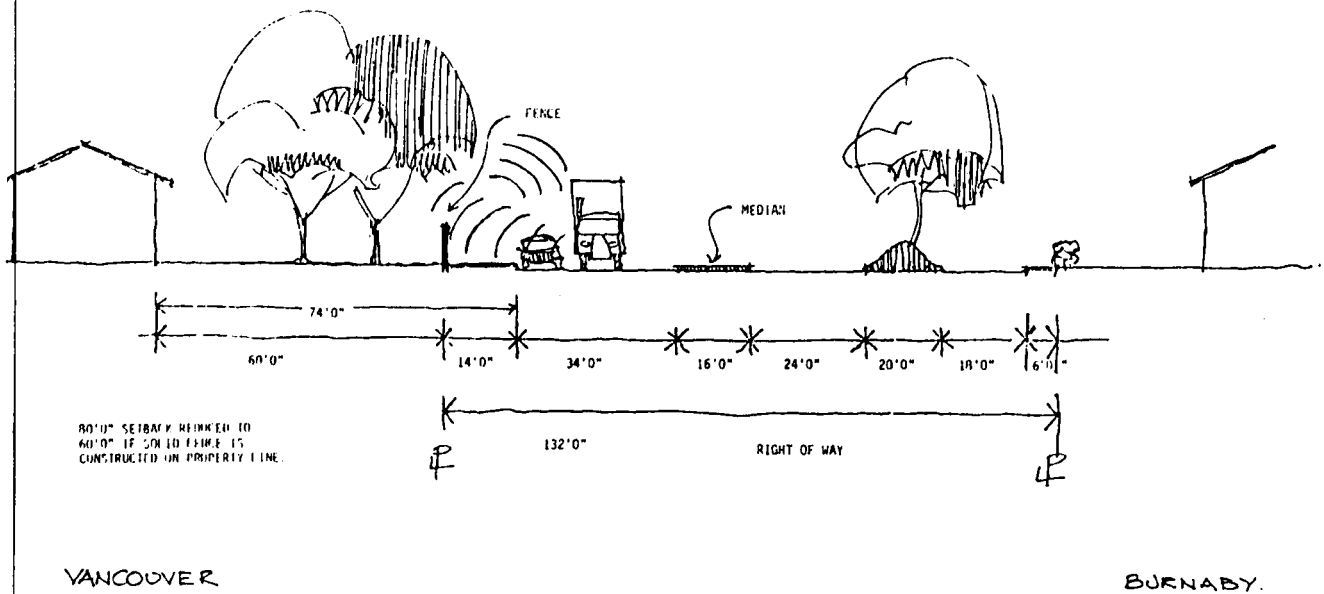
The Implementation Report of 1974 identified traffic noise from Boundary Road as a major concern. The report called for means to be found to reduce the impact of the noise problem on the future community. The recommended solution, at that time, was the creation of a landscaped buffer strip of varying widths adjacent to Boundary Road. Other noise abatement measures were not considered necessary.

In 1974, no specific design existed for a widened Boundary Road. It was generally assumed that the road would be at grade. When 'Option 1b' was approved on April 11th 1978, a major section of the road was depressed into a 'cut'. The attached map (Appendix I) shows the portion of Boundary Road to be in a 'cut' and the relationship of the road to Enclaves 4, 5, 6 and 7. The development conditions for Enclaves 4, 5, 6 and 7 required an 80ft. building setback from the Boundary Road to satisfy the noise abatement criteria.

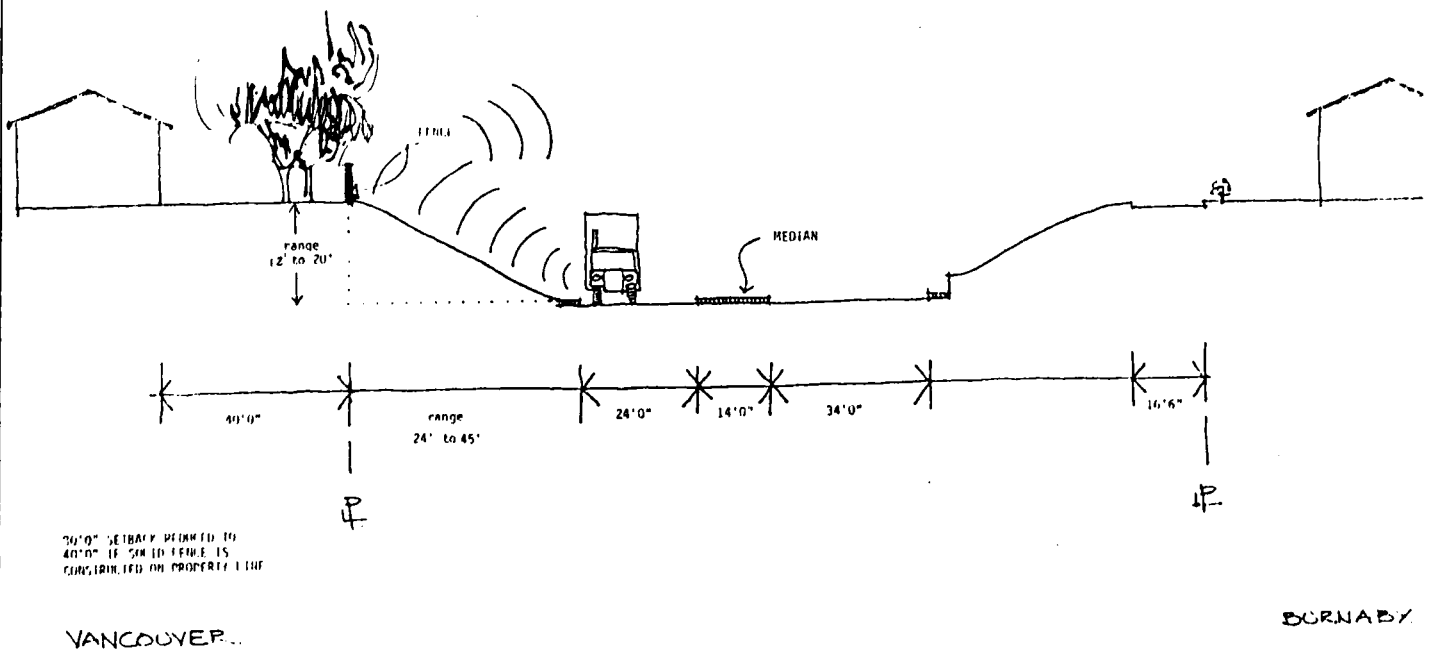
Clause 5 continued

However, due to site planning problems associated with the narrow enclaves, the developer wishes to reduce the buffer by providing alternate noise abatement methods. These methods would involve the construction of a solid 8 foot fence, and double glazing of the units. The following diagrams indicate the two typical road sections of this proposal - one at grade and one in a cut.

1. Boundary Road/typical section at grade



2. Boundary Road/typical section in a Cut
(lower portion of Enclaves 4, 5, 6 and 7)



Clause 5 continued

An analysis of this proposal was carried out by an acoustical consultant, Barron and Associates, and it was established that the construction of a solid 8 foot fence would reduce the noise levels below the previously established levels, except in the case of the upper floor windows in the at grade section where double glazing with particular emphasis on acoustical properties would provide an acceptable solution. This analysis is attached as Appendix II.

Construction of a fence has other benefits in addition to reducing the noise levels. The fence will provide privacy and security for the units along Boundary Road and, combined with the proposed fence north of Rumble, it will create a consistent design element along Boundary Road.

The builder has confirmed that subject to Council approval, he will construct a solid 8 foot fence comparable in design to the proposed fence north of Rumble Street. The builder has also confirmed that all units will be double glazed.

The Project Manager and the Director of Planning have reviewed the alternative noise abatement proposal from the developer of Enclaves 4 - 7 and recommend Council permit the encroachment into the buffer zone as shown on the Development Permit drawings subject to the builder constructing a solid fence 8 feet in height and comparable to the design being developed by the City for properties between Rumble and 49th Avenue, and further, that all units in the project be double glazed with particular emphasis placed on the acoustical property of upper storey windows adjacent to Boundary Road.

The City Engineer concurs with the above recommendation but wishes to note that with comparable noise abatement measures in previously developed enclaves adjacent to Boundary Road, citizen complaints have been registered nevertheless. Although the noise abatement with the new proposal will be as effective, or better than, the original 80'0" buffer, complaints can be expected in the future, however, the City Engineer feels the new proposal is necessary and should be proceeded with.

The City Manager RECOMMENDS that the foregoing recommendations of the Project Manager, City Engineer and the Director of Planning be approved.

6. Proposed Rezoning - 4124 Dumfries Street

The Director of Planning reports as follows:

"An application has been received from Mr. C. Campbell, of Hislop Estates Ltd., requesting an amendment to Zoning and Development By-law No. 3575, whereby the land known as 4124 Dumfries Street, located on the east side of Dumfries between Kingsway and East 26th Avenue (Lot 8 except the West 16.5 ft. now road of Lot 22, Block 5, D.L. 352, Plan 1605), would be rezoned from RS-1 One-Family Dwelling District to C-2 Commercial District for the purpose of:

'Developing a commercial development in conjunction with Lot 7.'

SITE DESCRIPTION AND BACKGROUND

The site and present zoning are described in the attached Appendix A plan. The site is currently developed as a one-family dwelling with an additional dwelling unit on the lower floor. City records indicate the dwelling was constructed prior to 1930. The flanking northerly lot zoned C-2 Commercial District has been developed as a used car lot since 1973. Other lots to the east along Kingsway are developed as a gasoline service station and retail stores while the three lots to the south of the site have recently been developed with new one-family dwellings following re-subdivision.

Clause 6 continuedKENSINGTON N.I.P. PLANNING COMMITTEE

At their initial consideration of this application, the Kensington Neighbourhood Improvement Program Planning Committee deferred a decision until such time as it could be determined what the opinion was of the immediate neighbours. At their meeting of September 19, 1979, the Committee received a petition with the signatures from 15 addresses in favour of the rezoning and none opposed. On this basis the Committee agreed to recommend that the rezoning application be approved.

ANALYSIS

In 1978, discussions between the applicant and the Planning Department explored the possibilities of linking development of Lots 7 and 8 with other commercial property immediately to the east along Kingsway which was also owned by the applicant at that time. It was noted at that time that Lot 7 would be difficult to develop by itself, and the consolidation of Lot 7, Lot 8 and those adjoining commercial lands would provide for a more suitable form of development. This opportunity no longer exists as the easterly properties have been sold during the past year.

While the applicant's proposal to rezone Lot 8 has the effect of extending the commercial zone closer to the more recent residential development to the south, there are several opportunities to improve the poor relationship which would exist if Lot 8 were to remain residential and Lot 7 were to be used or developed for a commercial purpose.

In recommending approval of this application, the Director of Planning has examined the potential impact of a new commercial development on the existing dwellings to the south and noted some concern for the potential impact. The applicant has offered to enter into a restrictive covenant agreement which would provide a landscape setback with an average width of 1.524 m (5 feet) from the southerly boundary of the site. This setback, in conjunction with the required rear yard of the adjacent single-family development to the south (8.717 m or 28.6 ft.) is felt to adequately protect the interests of those residential property owners upon whom any future commercial development may impact. The provision and maintenance of adequate landscaping and screening within the 1.524 m (5 ft.) setback, which is strongly related to any proposed form of development, will contribute to an improved commercial/residential interface. Furthermore, the newly created commercial lot would, when developed in conjunction with the existing northerly flanking commercial lot, provide a parcel of land with sufficient area and width to encourage new commercial development which would upgrade this presently underutilized corner location and improve the visual aspect on Kingsway.

RECOMMENDATION

The Director of Planning recommends that the following recommendation be received and the whole matter referred directly to a Public Hearing:

that the rezoning be approved subject to the following conditions:

- (i) that the applicant first consolidate the site (Lot 8) with the adjoining property to the north (Lot 7) and that this consolidation be so registered in the Land Registry Office; and

Clause 6 continued

- (ii) that the applicant enters into a restrictive covenant in favour of the City which will provide a setback with an average width of 1.524 m (5 ft.) which is to be landscaped and maintained by the owner of the property, to the satisfaction of the Director of Planning."

The City Manager RECOMMENDS that the report of the Director of Planning be received and the whole matter be referred to Public Hearing.

7. Interpretation of the Powers of the Development Permit Board (FM-1 District Schedule)

The Director of Planning reports as follows:

" Purpose

To seek Council's opinion on the interpretation of the general intent of the FM-1 By-Law regarding transfer of rights, density increase and adjustment of subarea boundaries as proposed by Romses, Kwan (Architects) for Narod Developments in Development Permit Application #84491 for a total block development bounded by 7th and 8th Avenues and between Hemlock and Birch Streets.

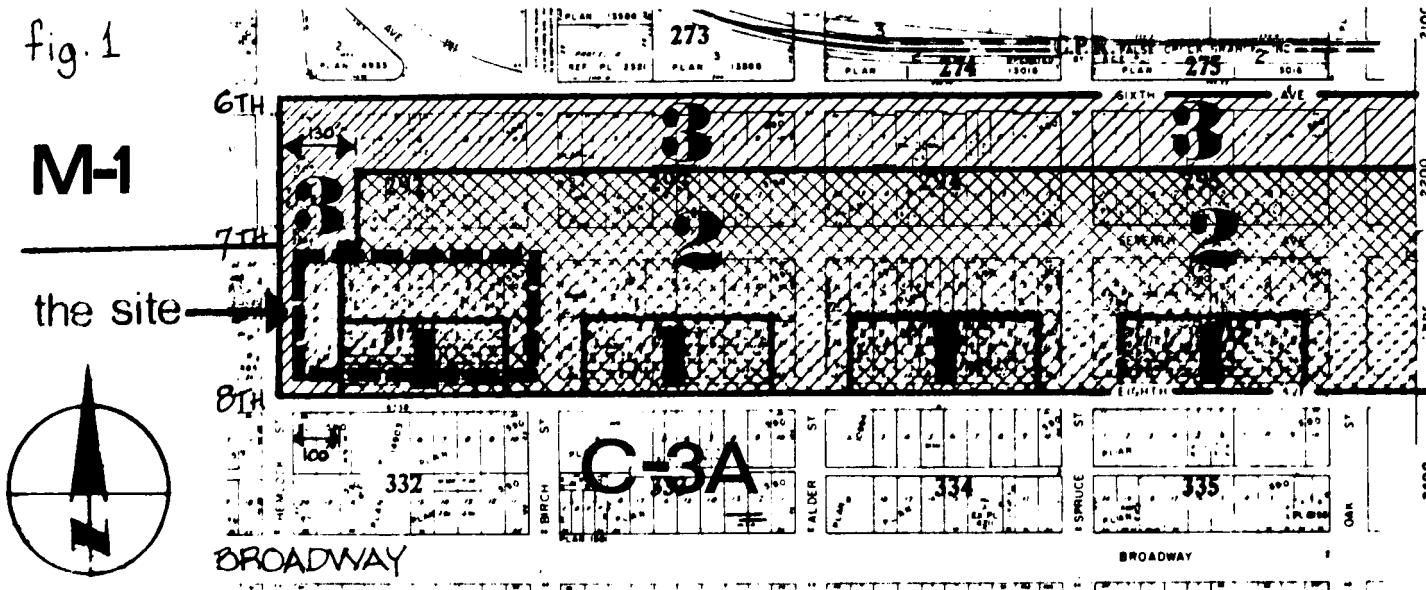
Background

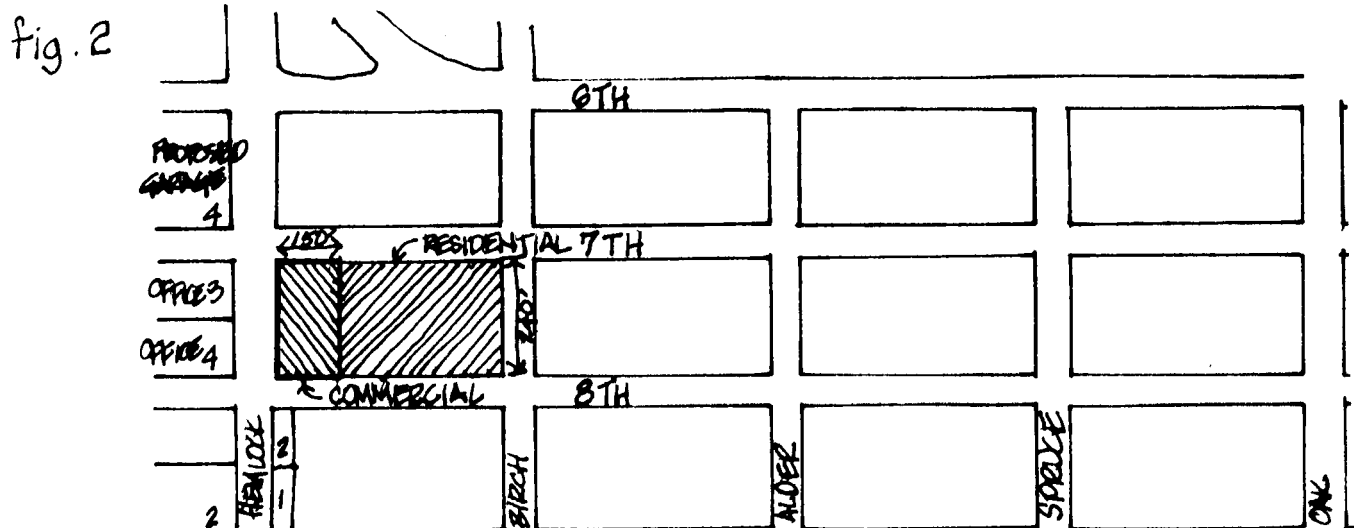
A preliminary development permit application was filed on June 18, 1979. Staff met with the applicant on several occasions and indicated certain difficulties regarding compliance with the Zoning and Development By-Law. The applicant expressed the wish to proceed with the proposal to the Development Permit Board for a decision and this was supported by staff. The proposal was considered by the Development Permit Board on October 15, 1979.

The Proposal

The proposal consists of a commercial component (6 storeys) and a residential component (79 townhouses) that occupies a whole block (240' x 500') bounded by Hemlock, Seventh, Eighth and Birch. The site is presently used for car storage.

The site falls within all 3 sub-areas of the FM-1 Schedule which permits varying degrees of commercial uses in buildings as follows: (See Figure 1.) Up to 50% sub-area 1; up to 15% sub-area 2; and up to 100% sub-area 3.



Clause 7 continued

The applicants wish to collect the commercial density accrued on the eastern portion of the site to the western portion of the site. Because of the resultant consolidation of the commercial uses in the western portion of the site the 100% commercial use areas increase beyond the sub-area 3. The commercial development would cover an area some 150' in frontage rather than 100' as shown in sub-area 3. The floor space ratio of the commercially covered area would be 2.2. The F.S.R. over the whole site would be 1.433. The maximum permitted F.S.R. is 1.5. (See Figure 2).

This preliminary Development Permit Application was considered by the Development Permit Board on October 15, 1979. They had before them a memorandum from the Director of Legal Services indicating that the transfer of commercial uses and boundary adjustment would change the character of the sub-areas and is therefore a zoning change. (See Appendix A). The Board's decision was as follows:

"THAT the Development Permit Board accept, in principle, the concept of an office and townhouse development as submitted under preliminary Development Permit Application No. 84491 but defer its decision on this preliminary application until such time as the Chairman of the Board has met with the Director of Legal Services to resolve the points raised by the Director of Legal Services in his memo to the Director of Planning dated October 12, 1979. Subject to a satisfactory resolution of that discussion, the scheme may then be further developed to a complete application, taking into account the comments of staff, the Urban Design Panel, and the Staff Committee, and the requirements of the FM-1 By-Law". (See Appendix B)

The Director of Planning met with the Director of Legal Services on October 22, 1979, to clarify the legal implications of the proposal. The Director of Legal Services suggested that the Director of Planning should approach Council to seek guidance in the exercise of the powers of the Development Permit Board with regard to relaxation in the FM-1 By-Law. The discretionary authority of the D.P.B. is described in the Zoning and Development By-Law Section 3.2.4.

The Issue

There are two possible interpretations of the intent of FM-1 By-Law as far as this mixture of residential and commercial uses are concerned:

- A. That the intent is to promote small scale development throughout and that the amount of permissible commercial uses be dispersed with each commercial enterprise being relatively small in scale.

Clause 7 continued

- B. That the intent is to provide a balance of Commercial and Residential uses throughout the FM-1 (Fairview Slopes) District, and that, provided that balance is maintained, then the Development Permit Board may approve a comprehensive development proposal that is apparently at variance with the detailed interpretation as set out in A above.

In this particular case, the applicant proposes to follow interpretation B above in principle. It could thus be interpreted that the commercial floor space attributable to subarea 1 will be consolidated into its westerly 50' and similarly, the commercial floor space attributable to subarea 2 will be consolidated into its westerly 50'.

According to the Director of Legal Services, this could change the character of the sub areas beyond what a strict By-Law interpretation would indicate. Therefore, it could be argued that it was not within the Development Permit Board's power to provide these relaxations. However, he noted that a case did exist for the relaxation being suggested but, bearing in mind the special circumstances and unusual nature of this case, it would be wise for the Board to confirm with City Council, the legislators, that this would be acceptable to their intent.

The Development Permit Board, in reviewing this application, felt that the proposal was in principle an appropriate form of development bearing in mind the location of the site next to the Hemlock Street (access to Granville Bridge) and, the rare opportunity for a comprehensive redevelopment on a whole City block.

Recommendation

The Development Permit Board seeks Council's direction regarding the interpretation of the intent of the FM-1 District schedule and the extent of the discretionary powers of the Board with reference to transfer rights, density increase and adjustment of sub-area boundaries.

The Director of Planning, acting in his capacity as Director and as Chairman of the Development Permit Board, recommends:

THAT City Council advise the D.P. Board that in view of the general acceptability of the concept proposal in D.P.A. #84491 and in view of the fact that the proposal is on a consolidated block of property that the proposal can be approved subject to such conditions as may be appropriate to achieve a satisfactory design solution."

The City Manager RECOMMENDS that the foregoing recommendations of the Director of Planning be approved.

MANAGER'S REPORT, November 2, 1979 (CLAIMS: A5 - 1)

LICENSES AND CLAIMS MATTERS

RECOMMENDATIONS

1. Stores Open Thanksgiving Day, October 8, 1979

The Director of Permits and Licenses reports as follows:

"On October 17, 1978, City Council resolved that where any retail store (other than one of the class of stores enumerated below) is open for business on January 1, Good Friday, Victoria Day, Canada Day, B.C. Day, Labour Day, Thanksgiving Day, Remembrance Day, Christmas Day or Boxing Day, that Council may consider invoking its powers under Section 275 of the Vancouver Charter relating to suspension and revocation of business license.

- (a) Small Grocery stores (1,200 sq. ft. or less); drug stores, provided the items listed in Section 4(1) of the Shops Closing By-law are not on display or for sale for any of the above-mentioned Statutory Holidays.
- (b) The following stores may be open for business only on Victoria Day, July 1, B. C. Day, Labour Day and Boxing Day:
 - Bookstores, record stores, souvenir stores, provided the items listed in Section 4(1) of the Shops Closing By-law are not on display or for sale.
 - Stores in the designated Historic Areas of Gastown and Chinatown.

This Council resolution came into force November 11, 1978, and was advertised in the daily paper November 1, 1978.

It should be noted that the exemptions described in (b) above DO NOT APPLY on January 1st, Good Friday, Thanksgiving Day, Remembrance Day, and Christmas Day.

Inspections have been made on various Statutory Holidays and where violations were found the licensee was notified in writing of Council's resolution and informed that any further violations would be reported to City Council.

On Thanksgiving Day, October 8, 1979, 33 stores were found to be open in contravention of Council's resolution. Of this number the following two stores were repeat offenders;

1. Jan's Macrame Shop Ltd., 1172 Davie Street.

This store was open on Victoria Day, May 21, 1979. The licensee was notified of Council's resolution by letter dated June 1, 1979.

2. Manubhai Patel (Patel's Super Market), 2210 Commercial Drive.

This grocery store (over 1900 sq. ft.) was open on Good Friday, April 13, 1979. The licensee was notified of Council's resolution by letter dated April 20, 1979.

Letters have been sent to the operators of the other 31 stores advising them of Council's resolution regarding store opening on Statutory Holidays.

It is recommended that Jan's Macrame Shop Ltd. and Manubhai Patel be requested to appear before Council to show cause why their business licenses should not be suspended."

The City Manager RECOMMENDS that the recommendation of the Director of Permits and Licenses be approved.

2. Claim Number 19064 - Mr. R. Kroecher

The Director of Legal Services reports as follows:

"This claim arose as a result of the flooding of an apartment block at 2277 Wall Street on July 1, 1979.

The flooding occurred during a very heavy rainstorm which caused the sewers and catch basins in the area to surcharge at which time the surface water flowed from the street into the building which is below street grade. Six suites and a basement electrical equipment room were involved in the flooding.

Our investigation revealed that the surcharge was the result of restrictions in the sewer capacity downstream from the flooded area.

The claim as presented is reasonable and all expenses have been verified and found to be in order. In the circumstances I would request authorization to have a cheque in the amount of \$2,290.48 issued payable to R. Kroecher."

The City Manager RECOMMENDS that the foregoing recommendation be approved.

3. P.N.E. Land Use Control

The Director of Planning reports as follows:

"On July 24, 1979, Council resolved:

'That the proposal that no restrictions be placed on the rental facilities at the P.N.E. be referred to the Director of Planning for report, in consultation with the Director of Permits and Licenses, on guidelines and any possible restrictions on retail use of rental facilities at the P.N.E.'

In dealing with this matter, Council had earlier resolved to approve the recommendation of the Planning and Development Committee contained in its report of April 5, 1979 which endorsed certain permitted uses under the management of the P.N.E. without requiring a development permit, among these being:

'swap-o-ramas, swap meets or flea markets, limited in time; such uses to be restricted to the sale by individuals of used articles, individuals' arts and crafts, and for the sale of new merchandise up to a limit of thirty (30) percent of the total sales.'

Having since reviewed the matter, it is now the opinion of the Director of Permits and Licenses that the standard of 'thirty percent of total sales' would be difficult to measure and consequently impossible to enforce. If, subsequent to consideration of this report, Council still wishes that such a standard be implemented, it is suggested that it be amended as follows:

'...and for the sale of new merchandise, provided that not more than thirty (30) percent of the sellers shall at any time display, offer to sell, or sell such new merchandise.'

Council may also wish to impose a requirement that no individual seller may display, offer to sell, or sell new merchandise exclusively. Needless to say, if no restrictions are to be placed on the retail use of rental facilities, the foregoing limitation in any form would be redundant.

Clause No. 3 cont'd:BACKGROUND

The objects of the P.N.E. set forth in the P.N.E. lease agreement with the City include a wide variety of public purposes, "except profit", which are useful or beneficial to the people generally, including 'any enterprise, matter or thing having a civic, national, patriotic, scientific, agricultural, artistic, educational, social, recreational or sporting character.'

Apart from the power to display a great variety of produce, goods and merchandise, there appears no basis in the stated objects or powers of the P.N.E. to carry out, either directly or by sub-lease agreements, any general retail activity as provided for in the Zoning and Development By-Law. There is, however, nothing to prevent the display or advertisement of the price or availability of goods or merchandise as presently takes place at the various trade shows, such as the boat, auto and home shows.

The P.N.E. has been engaged for many years in a complex of activities, virtually all of which have had some generally recognized public purpose but not all of which may have been financially self-sustaining. The degree to which one type of activity may justifiably sustain other activities as part of a common purpose - or to meet the overall expenses of the general operation - presents difficulties in assessing the non-profit character and consequent legitimacy of that activity. The question of permitting general retail activity as a source of general revenue also raises the question of what other forms of commercial (or industrial) enterprise may be appropriate for the same purposes, regardless of their compliance with the stated objects and powers of the P.N.E.

The P.N.E. management has advocated no restrictions on retail activity as an additional means of raising revenue to cover general expenses, but has informally proposed conditions under which there would be:

- (a) no rental of floor space of less than 3 715m² (40,000 square feet) and
- (b) no rental of floor space for a period of less than one (1) day nor more than seven (7) days.

While the P.N.E. has no objection to an established maximum limitation of gross leasable floor space of the same magnitude, it is contended that:

- (a) the minimum floor space standard would effectively require the rental of the Showmart Building (3 995m²) (43,000 square feet), the facility most commonly used for displays and most suited to retail sales, and
- (b) the minimum floor space standard and maximum time limit would confine retail activity to special events befitting the character of the P.N.E. which would not ordinarily compete with similar types of retail activity elsewhere.

Further to this, the P.N.E. would like the opportunity to stage retail or auction sales outdoors in parking lots and other large, open-air activity areas. Such retail activity could presumably include automotive, recreational vehicle, farm or industrial equipment displays and sales of both new and used merchandise, while the indoor activity would likely include furniture, appliance or hardware sales, as well as those products now only displayed in the various trade shows.

Available indoor space for retail activity includes, in addition to the Showmart Building, the Food Building (2 785m²) (30,000 square feet), the Forum (north end) (2 045m²) (22,000 square feet), and Rollerland (1 860m²) (20,000 square feet), for a total of 10 685m² (115,000 square feet). For comparison, that floor space is equivalent to three large grocery supermarkets, a junior department store, or a small community shopping centre.

Clause No. 3 cont'd:ISSUES

The question of the P.N.E. engaging in general retail activity, either directly or indirectly, raises the following issues:

- (a) the justification for retail sales and related profit-making in respect to activities not clearly within the stated objects and powers of the P.N.E.
- (b) the environmental impact of retail sales activity on surrounding neighbourhoods and the market impact of such activity on existing businesses in nearby commercial districts, with special reference to:
 - (i) the location, type and amount of such activity, both indoors and outdoors;
 - (ii) the duration and hours of operation of such activity; and
 - (iii) the business tax liability of licensees.
- (c) the applicability of existing commercial development policies and standards and conditions of use of the zoning district schedules of nearby commercial districts.

The justification for retail sales activities as wholly independent enterprises, separate from (a) the small-scale, retail or service-commercial functions ancillary to the larger, public-purpose functions of the P.N.E., or (b) trade shows where all retailers displaying, offering to sell, or selling a particular commodity participate, is a matter solely for Council's determination pursuant to the statute creating the P.N.E. and the subsequent lease agreement.

The environmental impact of retail sales activity relates principally to appearance, noise generation and traffic impact. None of these factors need pose a problem to surrounding neighbourhoods if the activity is located well away from residences, is appropriately screened from the boundaries of the site (if necessary), is of a type not creating excessive outdoor noise or other public disturbances, and is of a scale not generating inordinate traffic and parking demands, especially during times when other major events are taking place.

The market impact of retail sales activity relates to the type and range of goods which may be offered for sale, the scale of the activity and the duration and hours of operation of such sales. Such impact may be minimal if sales are of a 'special-events' nature for select and limited periods of time, cater to a broader market or involve goods not generally available in nearby commercial districts, and the business tax liability of licensees is at least equal to, if not higher than, that incurred by other competing businesses in the vicinity.

The predominant commercial zoning district in the vicinity of the P.N.E. is the C-2 District, the intent of which is:

'...to provide for a wide range of goods and services and to maintain commercial activities and personal services that require central locations to serve large neighbourhoods.'

Clause No. 3 cont'd:

Retail stores 'catering to the day-to-day needs of residents of a large district of the City composed of more than one neighbourhood' are permitted outright; however, such outdoor activity as 'motor-vehicle sales' is a conditional use. The conditions of use for both outright and conditional uses generally require that all activity, with minor and obvious exceptions, be carried on wholly within a completely enclosed building. Nevertheless, the Director of Planning may relax such use conditions:

'...to permit the outdoor display of retail goods, and may include such other conditions as he deems necessary, having regard to the type of merchandise, the area and location of the display with respect to adjoining sites, the hours of operation and the intent of the Schedule.'

The conditional use list itself is somewhat open-ended in that the Director of Planning may permit any use not specifically listed in the C-2 or any other District Schedule which he considers comparable in nature to the uses listed in the Schedule, having regard to its intent.

RECOMMENDATIONS

Within the context of the foregoing and the Council-approved recommendations of the Planning and Development Committee of April 5 and of the City Manager of March 1, 1979 (attached hereto as Appendices 'A' and 'B,' respectively), it is recommended:

- A. That the following be added to the Uses Permitted under the Management of the P.N.E. without Requiring a Development Permit:
 - (n) Retail merchandising carried on wholly within a completely enclosed building, except for parking and loading facilities, restaurant uses, and the display, offering for sale, or sale of flowers, plants, fruits and vegetables, provided that the amount of retail floor space leased or occupied at any time for the display, offering for sale, or sale of any goods or merchandise shall be restricted to a minimum of 1 860 m² (20,000 square feet) and a maximum of 4 180 m² (45,000 square feet).
- B. That the following be added to the Uses Which May Be Permitted under the Management of the P.N.E., but First Requiring the Filing of a Development Permit Application and Obtaining the Approval of the Director of Planning.
 - (c) Retail merchandising outside any building, except as otherwise provided for in (n) above, provided that the Director of Planning, before issuing a development permit, shall have due regard to the type of merchandise, the area and location of the display, the hours of operation, the availability of off-street parking, and the anticipated impact of the activity on adjacent uses, and may impose such conditions as he deems necessary.
- C. That, in respect to any retail merchandising activity under A or B above,
 - (a) Individual retailers be licensed for a period not exceeding ten (10) days and not more often than twice in any calendar year (except that this would not apply in the case of licensees participating in swap-o-ramas, swap meets or flea markets).
 - (b) All retail merchandising be restricted to the same hours of operation as similar businesses in the C-2 District of the Zoning and Development By-law.
 - (c) No major retail activity be carried on outside any building simultaneously with other major events at the P.N.E. or stadium facilities.
 - (d) All retailers be subject to a license fee of \$600.00 for each thirty (30) days or portion thereof, or \$100.00 a day for swap-o-ramas, swap meets or flea markets.
 - (e) Retail merchandising be deemed to include auctioneering but not wholesaling.

MANAGER'S REPORT, November 2, 1979 (CLAIMS: A5 - 6)

Clause No. 3 cont'd:

- D. That Council's resolution of July 24, 1979 providing for swap-o-ramas, swap meets or flea markets under the management of the P.N.E. without requiring development permits be amended to read:
 - (k) Swap-o-ramas, swap meets or flea markets, for periods not exceeding ten (10) days; such uses to be restricted to the sale by individuals of used articles, individuals' arts and crafts, and for the sale of new merchandise, provided that not more than thirty (30) percent of the sellers shall at any time display, offer to sell, or sell new merchandise.
- E. That Council's resolution of July 24, 1979 incorporating that provision of the City Manager's recommendation of March 1 relative to the advertising of commercial business be amended to read:

There shall be no outdoor advertising of any commercial business other than identification signs associated with the uses listed in A and B above, and there shall be no activities that are exclusively retail other than those provided for in A(n) and B(c) above or those customarily accessory to any of the other uses listed.
- F. That the policy as amended be reviewed after one (1) year by the Director of Planning and the General Manager of the P.N.E. with any suggested changes being reported to Council."

The City Manager has been informed that the General Manager of the P.N.E. agrees with the above recommendations.

The City Manager RECOMMENDS that the foregoing recommendations of the Director of Planning be approved.

FOR COUNCIL ACTION SEE PAGE(S) 351, 352

A-7

MANAGER'S REPORT, November 2, 1979 (FINANCE: A7 - 1)

FINANCE MATTERSRECOMMENDATION1. Community Services Contribution Program

The Director of Finance reports as follows:

"In April, 1979, the Provincial Government announced the Community Services Contribution Program (C.S.C.P.) and gave the guidelines for projects which will be accepted for funding under the Program. Three components of the Program were identified as follows:

1. Sanitary sewer and water projects - 20% cost sharing
2. Local Community Improvement projects - 50% cost sharing
3. Waste conversion to energy projects

Two program years were identified for the Program as follows:

- Program year #1 - submissions to be made by May 31st
- Program year #2 - submissions to be made by October 31st, 1979

The City made its submissions for program year #1 in accordance with the timetable stated by the Province. The priority rating for the projects submitted by the City was based on Council's priority rating for the 1979 Supplementary Capital Budget. This priority rating for selection of projects was adopted because the City did not have time to do the analysis and justification as required in the Provincial guidelines.

Subsequent to the change in the Federal government in May, the C.S.C.P. was renegotiated between the Federal and Provincial governments. It is our understanding that the program will be ratified, and that the Provincial government will be making an announcement in the near future regarding the projects of program year #1 which will be financed. We also understand that the timetable for the second program year remains intact except that the deadline for submissions has been extended to November 14, 1979.

The purpose of this report is to present a recommended list of projects for submission to the Provincial government for the second program year of the C.S.C.P. A book with the detailed description of projects has been circulated to Council members and is available in the City Clerk's Office.

Process for Selection and Priority Rating

All Departments have been canvassed for submissions of projects which meet the C.S.C.P. guidelines and will be undertaken in the period January 1st, 1980 to March 31st, 1982. Subsequent to the submissions of projects, a Staff Committee was formed composed of representatives from Engineering, Planning, Park Board, Civic Buildings, and Finance to review the appropriateness of the submissions and to develop a priority rating on submissions. Attached to this report is a listing of some of the considerations which were utilized by the Staff Committee in this process. The attached listing of projects reflects the departmental priorities and have been integrated into a composite list on a basis which the Staff Committee felt was reasonable and consistent.

In summary, the project submissions are as follows:

<u>Department</u>	<u>Total Cost (000)</u>	<u>C.S.C.P. Share (000)</u>
Park Board	\$ 2,300	\$ 1,150
Planning	3,500	1,750
Engineering - sewer and water *	6,270	1,254
- other	5,725	2,862.5
Library	60.8	30.4
	<u>\$ 17,855.8</u>	<u>\$ 7,046.9</u>

* 20% Cost Sharing

Clause No. 1 cont'd:Analysis of Project Submissions

In adopting a list of projects for submission to the C.S.C.P., Council will be indicating their support for the projects. However, all projects will be further reported to Council in the normal process (i.e. Basic or Supplementary Capital Budgets, or special reports) for approval and funding of the City share of the costs.

With regard to the concern of feasibility and timing for certain of the projects, certain specific observations were raised by the Staff Committee, including the following:

1. The West End Mini-Parks - further consultation is necessary between Parks, Engineering, Planning, and Fire regarding the feasibility of the projects.
2. Seventh Avenue street scape - further analysis of the proposal is required by Planning and Engineering.
3. Denman street scape - this project has not yet been approved by the local property owners who would contribute to the funding.
4. West Point Grey Community Centre - the operation of this Centre would result in annual operating costs of approximately \$60,000.

There are funding considerations which will also have to be addressed in the future with any approved projects. In the attached table, the identifiable source of funding for the City's share of the project is noted. Most of the projects submitted by the Engineering Department could be funded out of their existing Capital program, but there are certain projects which require other funding including Supplementary Capital funds. The projects submitted by the Park Board could presumably be funded from their annual allocation from Supplementary Capital. Those projects submitted by the Planning Department have not an established funding source and, if approved, would have to be funded either within existing Capital programs of the Park Board and Engineering Department, or else through 1980 and 1981 Supplementary Capital Budget.

Recommendation

The Director of Finance recommends that the attached list of projects for:

- a) Sanitary Sewer and Water Projects
- b) Local Community Improvement Projects

be submitted to the Provincial Government, with the priorities as established by the Staff Committee, for the second program year of the Community Services Contribution Program."

The City Manager notes that the projects in the attached tables are listed by priorities A, B or C. There is no ranking within each priority group.

The priorities were established by a staff committee on which the several departments were represented.

Projects arising out of Local Area Planning programs are listed under "Planning", but the primary responsibility for design and implementation of such projects would lie in Engineering for streets projects, and with the Parks Board staff for parks and recreation projects,-- in each case in consultation with the local area planning program.

The City Manager RECOMMENDS that Council approve the submission of the projects with priorities listed, as being a reasonable compromise between the desires of the various departments.

PERSONNEL MATTERS

RECOMMENDATION

1. Long Term Disability Plan - Outside Workers

The Director of Personnel Services reports as follows:

"One of the results of the 1979-80 labour negotiations with C.U.P.E. Local 1004, was an agreement to install a Long Term Disability Plan (L.T.D.) for the City and Park Board Outside Workers. The Plan is scheduled to come into effect on January 1, 1980.

C.U.P.E. is the first of our unions to negotiate L.T.D. coverage. The City therefore has no direct experience with L.T.D. and is in no position to know at this point which insurance carrier is best qualified to underwrite the coverage on the most economical basis. The wisest course to follow in this situation is to "go to the market". This involves the preparation of detailed Specifications, the submission of these to insurance firms for competitive bids and the analysis of the bids to choose the one most advantageous to the City. Work of this kind requires a level of expertise normally possessed only by a consultant specializing in employee benefit plans.

If the L.T.D. Plan is to be installed on time, preparations should begin immediately. Work had been delayed pending receipt of the Wyatt Company's report on their review of the City's employee benefit plans which had been authorized by Council earlier in the year. This report has now been received and its recommendations will be submitted to the Finance Committee on November 22nd. An initial analysis of the report shows that the Wyatt Company has gained an excellent insight into the City's benefit structure and has made practical recommendations which if followed will reduce our costs substantially. With their very current knowledge, they would be in a very good position to handle the introduction of the L.T.D. coverage.

I therefore recommend that the City engage the Wyatt Company as special consultants for the purpose of handling the introduction of L.T.D. coverage for Outside Workers for a fee not to exceed \$5,000.

The Assistant Comptroller of Budgets advises that if this recommendation is approved, the source of funds would be Contingency Reserve."

The City Manager RECOMMENDS that the above recommendation of the Director of Personnel Services be approved.

MANAGER'S REPORT, NOVEMBER 2, 1979 (PROPERTIES: A9 - 1)

PROPERTY MATTERS

RECOMMENDATIONS

1. E.L. Sauder Lumber Company Limited
Rent Review, Parcel 3

The Supervisor of Properties reports as follows:

"E.L. Sauder Lumber Company Limited lease Lots 44, 45, Ptn. 46, 47 except East 75 ft, Ptn. East 75 ft. of 47,48,49, and Lot A, D.L. 2037 and 2064 from the City of Vancouver. These lots comprise some 44,321 square meters of land and water, and are divided into five separate parcels, numbered one to five as shown on the attached plan. Under the terms of the lease, each parcel has a common expiry date, being December 31, 1988, but rent reviews vary from parcel to parcel.

A five year review of the rent on Parcel 3 was carried out on February 1, 1979, and following extended negotiations, the lessee has agreed to a rent increase effective February 1, 1979 from \$9,432 per annum plus taxes to \$46,182.00 per annum plus taxes.

The Supervisor of Properties is of the opinion that this proposal represents fair market rental value and, therefore, recommends that the rent on Parcel 3 be increased to \$46,182 per annum plus taxes effective February 1, 1979."

The City Manager RECOMMENDS that the foregoing recommendation of the Supervisor of Properties be approved.

2. Champlain Heights - Enclave 14

The Assistant Project Manager reports as follows:

"On several occasions in the past, Council have considered and decided upon matters relating to the development of Enclave 14. The last report presented to Council was a Provincial Government offer to purchase a portion of Enclave 14, the site of a care facility. Council declined the offer and instructed staff to conclude the negotiation of a 60 year lease by the 28th October 1979. This instruction has been successfully concluded and a lease acceptable to the Province and Canada Mortgage and Housing Corporation has been drafted (Letters of Approval to the Masons to enter into a lease with the City from senior levels of government are attached as Appendix I). The draft lease, now approved by all is not substantially different from it's previous model: it incorporates all of the general terms and conditions presented and approved by Council on 12th December 1978.

One of the conditions established by Council in December 1978 was the rent payment schedule which was as follows:

Rent

- a) Payment of \$162,500 shall be made on the date of signing of the lease or June 1, 1979, whichever date may be earlier and which date shall be the commencement date of the lease.
- b) Payment of an additional \$162,500 shall be made on the date of substantial completion of the buildings as determined by the lessee's architect, or November 1, 1980, whichever date may be the earlier.

MANAGER'S REPORT, NOVEMBER 2, 1979 (PROPERTIES: A9 - 2)

Clause No. 2 cont'd:

On 12th June 1979, Council approved a 120 day extension to the 28th October 1979 for the signing of the lease. The Society of Royal Arch Masons are in a position to execute the lease, however, they are not in a position to make the first rent instalment as at this time no mortgage has yet been set up.

The Architect for the Masons issued a construction tender call 28th/29th October with a submission (closing) date of 22nd November 1979. Only after the receipt of a successful/satisfactory tender bid will the Masons be in a position to arrange a mortgage and pay rent.

In view of the foregoing, the Assistant Project Manager recommends that the dates for payment of rent be amended as follows:

- 1) First payment of half the rent, \$162,500 - 28th December 1979, and second and final payment of rent to be \$162,500 - 1st June 1981.
- 2) That the Director of Legal Services prepare the appropriate alterations to the lease documents."

The City Manager RECOMMENDS that the foregoing recommendation of the Assistant Project Manager be approved.

3. False Creek, Area 6, Phase 2
Lot 48 - Ground Lease Terms

The False Creek Development Consultant reports as follows:

" Purpose

The purpose of this report is to recommend approval of the ground lease terms for the Intermediate Care Facility, Lot 48, Phase 2, Area 6, False Creek.

Background and Procedure

City Council, at its meeting on May 16, 1978 appointed the Broadway Pentecostal Care Association as Sponsor of the Intermediate Care Facility in Phase 2, Area 6, False Creek.

Subsequently, City Council, at its meeting on June 12, 1979 approved the procurement procedure of selecting a contractor for this Facility from a curriculum vitae type competition, to work with the Architect and submit a maximum price tender, based on preliminary plans and specifications. This procedure was modified in conjunction with CMHC, when it was recognized that the CMHC maximum price for this type of project, of \$28,000 per unit (117 units multiplied by \$28,000 = \$3,276,000) was going to be exceeded because of additional foundations, underground parking and consistent external quality demanded in False Creek.

Instead, tenders were invited from four selected contractors, with tenders based upon approved preliminary plans and specifications and detail piling and foundation drawings.

Nevertheless, upon receipt of tenders in mid-September, 1979, after adding the construction cost, a reasonable contingency figure, soft costs (fees, etc.) and an assumed figure for the land value of two thirds the market value, the resulting project cost was approximately \$34,500 per unit. CMHC could not approve this figure, it being far in excess of their maximum of \$28,000.

Clause No. 3 cont'd:

The False Creek Development Group has, therefore, been involved in intense negotiations with the contractor, architect, CMHC and sponsor and, with help from the City's Medical Health Officer, have been able to pare down the construction costs by some \$50,000 and the soft costs by some \$30,000 without detriment to the Facility. By also reducing the land cost (but still recovering the City's front end expenditures), it is possible to achieve a total cost of \$32,000 per unit, which CMHC will approve.

The revised costs would, therefore, be as follows:

Construction (maximum guaranteed)	\$2,749,000
Soft costs (fees, etc.)	518,000
Contingency	105,000
Land lease (prepaid for 60 years)	372,000
Total 117 units at \$32,000 per unit	\$3,744,000

It should be noted that the prepaid land lease of \$372,000 works out to be \$8.06 per built square foot for the 46,116 square feet of building. This \$8.06 is approximately 44% of the built square foot figure agreed to for the market condominiums in the first part of Phase 2.

The Director of Finance has reviewed this land lease prepaid value in context of all of the known and anticipated lease revenues for False Creek, Area 6, Phase 2 which collectively cover the Front End Expenditures, and recommends approval.

The Letter of Understanding and Ground Lease Terms dated October 19, 1979 are those which are satisfactory to CMHC, the Provincial Government and City Staff, and are attached as Appendix A.

Recommendations

The False Creek Development Consultant recommends that:

- a) The terms and conditions as set out in the Letter of Understanding and Ground Lease Terms dated October 19, 1979 be approved.
- b) The Director of Legal Services be requested to prepare a Ground Lease in accordance with the approved terms and conditions, for execution.
- c) Construction of the Facility commence upon issuance of the appropriate Permits."

The City Manager RECOMMENDS that the foregoing recommendations of the False Creek Development Consultant be approved.